

**ENTERED**

February 21, 2022

Nathan Ochsner, Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
GALVESTON DIVISION

BRAD COE, *et al.*,

*Plaintiffs,*

VS.

JOSEPH R. BIDEN, JR., *et al.*,

*Defendants.*

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CIVIL ACTION NO. 3:21-CV-168

**ORDER**

Before the court is the plaintiffs' motion for a preliminary injunction, Dkt. 7, by which they seek to enjoin the enforcement of two ICE memoranda—one issued on January 20, 2021, the other issued on February 18, 2021. Because this same issue is currently before the Fifth Circuit, *see Texas v. United States*, 14 F.4th 332, 335 (5th Cir.), *vacated*, 24 F.4th 407 (5th Cir. 2021), the court denies the motion without prejudice.

Signed on Galveston Island this 21st day of February, 2022.

  
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JEFFREY VINCENT BROWN  
UNITED STATES DISTRICT JUDGE